

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

RICHARD MANN

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: On or about February 5, 2010, at Evanston, in the Northern District of Illinois, Eastern Division, and elsewhere, RICHARD MANN, defendant herein:

using a means or facility of interstate commerce, namely, the internet, knowingly transported and shipped and caused to be transported and shipped child pornography, as that term is defined in Title 18, United States Code, Section 2256(8)(A), namely, a computer file titled, "69er01.mpg";

in violation of Title 18, United States Code, Section 2252A(a)(1). I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant

PATRICK GEAHAN

Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

February 24, 2010

Date

at Chicago, Illinois

City and State

Arlander Keys, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
) ss
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I, PATRICK GEAHAN, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed since approximately September 2004.

2. As part of my duties as an FBI agent, I investigate criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252 and 2252A. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in multiple forms of media, including computer media. I also have participated in the execution of multiple federal search warrants, many of which have involved child exploitation and/or child pornography offenses.

3. This affidavit is submitted in support of a criminal complaint alleging that RICHARD MANN has violated Title 18, United States Code, Section 2252A(a)(1). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging MANN with knowingly transporting child pornography, I have not included each and every fact known to me concerning this

investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

4. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, and information provided by MANN in a post-arrest statement.

FACTS SUPPORTING PROBABLE CAUSE

A. Undercover Investigation of “Spaniell”

5. On December 23, 2009, an undercover FBI Special Agent (“UCO”) logged into a law enforcement undercover account on a peer-to-peer network. UCO queried his list of “friends” on that network and observed that an individual utilizing screen name “Spaniell” was logged into the network.

6. A “friends list” is a list of other network users who are permitted to access a user’s profile and shared files. In order to trade files on this particular file-sharing network, each user must specifically add the other to his friends list. Spaniell was “friends” with UCO. As such, UCO – by using the undercover identity – was able to access files from the shared directories on Spaniell's computer.

7. On or about December 23, 2009, UCO browsed Spaniell’s shared directories and observed numerous files with names indicating that they contained child pornography. UCO then downloaded approximately 196 files directly from Spaniell’s computer. While downloading these files, UCO used the program “CommView” to identify the IP address of Spaniell's computer. After the download, UCO reviewed the CommView logs produced

during the file transfer and verified that all 196 files, in their entirety, were transferred to the agent's computer from a computer using the IP address 24.12.187.220.

8. The FBI determined that the majority of the 196 files downloaded from Spaniell's computer depicted child pornography, including image/video files that I recognize from various known, identified child victims. For example, the following image/video files of child pornography were among those downloaded from Spaniell's computer:

- (a) *P101 – Brotherlove 5.wmv*: a 16-second video file which depicts a nude, prepubescent boy lying on top of another nude prepubescent boy. The boy on top is rubbing his genitals on the buttocks of the other boy. Two other nude prepubescent boys are lying in a bath tub together. One boy is masturbating with his hand. I know this video to be part of the National Center for Missing and Exploited Children (NCMEC) "Dalmatian" series of identified victims;
- (b) *j&n048.jpg*: an image file which depicts a nude, prepubescent boy sitting on the lap of a nude adult male. The boy's legs are spread exposing his genitals. The adult male is rubbing his penis on the genitals and anus of the boy; and
- (c) *127.jpg*: an image file which depicts a nude prepubescent boy standing with his penis in the mouth of another nude prepubescent boy. The second boy has his left hand on the penis of an adult male. A laundry basket of clothes can be seen in the background. Agents know this image to be part of the NCMEC "Dalmatian" series of identified victims.

9. On or about February 1, 2010, UCO logged into a law enforcement undercover account on a peer-to-peer network, queried his list of "friends" on that network, and observed that "Spaniell" was logged into the network. UCO again browsed Spaniell's shared directories and observed numerous files with names indicating that they contained child pornography. The UCO then captured thumbnail or preview images of approximately 159 files directly from Spaniell's computer, again using the program

CommView to identify the IP address of Spaniell's computer. UCO reviewed the CommView logs produced during the file preview and verified that all 159 files, in their entirety, were previewed from a computer using the IP address 24.12.187.220.

10. The FBI determined that the majority of the 159 images previewed by the UCO depict child pornography. For example, the following images/video files of child pornography were among those previewed by the UCO:

(a) 72 Adorable Gay Preteen Boys So Cute Get Their Fun On 8yos.jpg.jpg: an image that depicts a prepubescent boy wearing a yellow shirt and lying back on a couch. The boy's pants are down, exposing his genitals. A second prepubescent boy is kneeling down in front of the first boy, performing oral sex on that first boy. Agents know this image to be part of the National Center for Missing and Exploited Children (NCMEC) "Dalmatian" series of identified victims;

(b) 35t37ed5.jpg.jpg: an image file which depicts a nude prepubescent boy standing with his penis in the mouth of a second nude prepubescent boy. The second boy has his left hand on the penis of an adult male. A laundry basket of clothes can be seen in the background. I know this image to be part of the NCMEC "Dalmatian" series of identified victims. This image appears to be the same as image 127.jpg, which was downloaded from the same computer IP address on December 23, 2009, but under a different name. See Paragraph 8(c).

11. On or about February 5, 2010, UCO logged into a law enforcement undercover account on a peer-to-peer network, queried his list of "friends" on that network, and observed that "Spaniell" was logged into the network. UCO again browsed Spaniell's shared directories and observed numerous files with names indicating that they contained child pornography. UCO then downloaded approximately 47 video files directly from Spaniell's computer, again using the program to identify the IP address of Spaniell's computer. After the download, UCO reviewed the CommView logs produced during the file transfer and

verified that all 47 video files, in their entirety, were transferred to the agent's computer from a computer using the IP address 24.12.187.220.

12. The FBI determined that the majority of the 47 files downloaded from Spaniell's computer depicted child pornography, including image/video files depicting children whom I recognize as various known, identified child victims. For example, the following image/video files of child pornography were among those downloaded from Spaniell's computer:

- (a) *P101 – 09.mpg*: a 17-second video file which depicts two nude, prepubescent boys lying on a bed together. The boys are performing oral sex on one another. Agents know this video to be part of the NCMEC "Dalmatian" series of identified victims;
- (b) *69er01.mpg*: a 40-second video file which depicts a nude, prepubescent boy lying on top of a nude adult male. A prepubescent boy wearing shorts is straddling the two and performing oral sex on the boy. I know this video to be part of the NCMEC "Dalmatian" series of identified victims; and
- (c) *p101 — 06yo Danny incest.mpg*: a 28-second video file which depicts two nude, prepubescent boys on a bed. The first boy is lying on his back with his legs spread, exposing his anus and genitals. The second boy then licks the first boy's anus and then uses his penis to anally penetrate the first boy.

13. The UCO used publicly available online tools to determine that IP address 24.12.187.220 is assigned to Comcast Corporation. Comcast advised the FBI that records reflect that on December 23, 2009 and February 1, 2010, at the times of the transfers to the UCO, IP address 24.12.187.220 was assigned to subscriber "Rick Mann." Comcast's records for the account of subscriber Rick Mann list the address as 720 Oakton Street, Apt. 4C,

Evanston, Illinois.¹ On January 26, 2010, a U.S. Postal Inspector verified that RICHARD MANN receives mail at 720 Oakton Street, Unit 4C, Evanston, Illinois 60202.

B. Execution of Search Warrant

14. On February 23, 2010, the FBI sought and received a search warrant from U.S. Magistrate Judge Arlander Keys to search the residence located at 720 Oakton Street, Unit 4C, Evanston, Illinois.

15. On February 24, 2010, FBI agents, including myself, executed the search warrant at 720 Oakton Street, Unit 4C, Evanston, Illinois. In what appeared to be a home office at the residence, agents located a Hewlett-Packard Pavilion a000 desktop computer, bearing serial number PP164AA. I observed that the computer was on and appeared to be connected to the Internet, and that a folder titled, in part, “spaniell/Vids/Mathew,” was minimized on the desktop.²

16. I conducted a preliminary forensic review of the desktop computer and discovered approximately 24 gigabytes, at least, of files that appear to contain images and videos of minor children, including prepubescent minors, engaged in sexually explicit conduct, including sexual intercourse, genital-oral contact, masturbation, and lascivious display of the genitals. This included images and videos of adult men engaged in sexual intercourse with prepubescent boys. These files included a file titled, “69er01.mpg,” a

¹Comcast hasn’t yet provided the results as to February 5, 2010, although the IP address at issue for that day – 24.12.187.220 – is identical to the IP address for February 1, 2010.

²When I say “minimized on the desktop,” I mean that the folder was open on the computer, but it was reduced in size to a button that one could click, resulting in the folder being enlarged.

40-second video file that depicts a nude, prepubescent boy lying on top of a nude adult male. A different prepubescent boy wearing shorts is straddling the two and performing oral sex on the boy. This file is identical to the video described in paragraph 12(b), which was transported and shipped by “Spaniell” – RICHARD MANN – to the UCO on or about February 5, 2010. I also found in my preliminary review a file titled “p101 — 06yo Danny incest.mpg,” identical to the video described in paragraph 12(c).

17. In addition to child pornography found on the desktop computer, agents also found multiple DVDs and CDs. Agents performed a preliminary review of some of the disks. In particular, agents located a soft, gray, zippered case that contained approximately a dozen disks. Agents previewed five of the disks, which contained, in total, at least hundreds of images and videos of minors, including adult males engaged in sexually explicit conduct with very young boys.

18. In the course of the execution of this warrant, MANN was interviewed by agents. Before being interviewed, MANN was given *Miranda* warnings. MANN waived his right to remain silent and agreed to be interviewed. During the interview, MANN stated in substance that he had been trading child pornography for approximately five years, and that he has used the screen name “Spaniell” to receive and distribute images of children engaged in sexually explicit activity. MANN said that the desktop computer described in paragraph 15 was his personal computer and that it contained images and videos showing children engaged in sexually explicit activity. MANN further stated that he was the only user of that computer. MANN stated that he was sexually interest in adults, but said that the only

pornography agents would find on his computer is child pornography. MANN said that he created and kept disks containing child pornography, and described to agents where those disks were located in his office.

CONCLUSION

19. Therefore, there is probable cause to believe that defendant RICHARD MANN knowingly transported and shipped child pornography using a facility of interstate commerce, in violation of Title 18, United States Code, Section 2252A(a)(1).

FURTHER AFFIANT SAYETH NOT.

PATRICK GEAHAN
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on February 24, 2010.

ARLANDER KEYS
United States Magistrate Judge